

REMARKS

The Office Action in the above-identified application has been carefully considered and this amendment has been presented to place this application in condition for allowance. Accordingly, reexamination and reconsideration of this application are respectfully requested.

Claims 1–13 are in the present application. Claims 1, 8, and 11 are amended and find support in the specification.

Regarding the rejection of claim 1 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention, amended claim 1 is presented. Applicants believe the Examiner's comments are a mistaken reference to the previously rejected limitation in claim 5 of "varying the display of said menu button depending on whether said menu button is not selected, or said menu button is provisionally selected, or said menu button is selected." Claim 1 does not contain this limitation or any similar limitation regarding changes to the highlighting of the menu buttons. Moreover, claim 5, in its present form, is in full compliance with U.S.C. § 112, second paragraph. Therefore, Applicants believe this rejection should be withdrawn.

In response to the rejection of claims 1–13 under 35 U.S.C. § 103(a) as being unpatentable over Arruza (U.S. Patent 5,838,316), amended claims 1, 8, and 11 are presented. Arruza teaches a computer graphics system which presents animated display objects which when selected perform a multimedia presentation. By contrast, the present invention is a menu system

(particularly adapted for DVD) with buttons which when selected perform a short response program followed by the selected operation.

A comparison of Arruza with the present invention reveals that Arruza fails to disclose the following claimed limitations. First, the present invention deals with a “disk recording medium” and “operations for operating a disk recording medium.” (Claims 1, 8, and 11) Specifically, the present invention is intended for use with DVD or other disk systems. Whereas, Arruza discloses a software program for operation on a computer. Second, the present invention’s menus are “determined at least in part on the basis of previously selected operations.” (Claims 1, 8, and 11). Arruza does not teach modifying its displayed objects based on previous operations. For these reasons, Arruza fails to obviate claims 1, 8, and 11 of the present invention. In addition, since claims 2–7, 9–10, and 12–13 are dependent upon independent claims 1, 8, and 11, they inherit the limitations of those claims. Therefore, claims 1–13 should now be allowed.

In view of the foregoing amendment and remarks, it is respectfully submitted that the application as now presented is in condition for allowance. Early and favorable reconsideration of the application are respectfully requested.

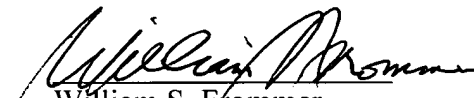
Statements appearing above in respect to the disclosures in the cited reference represent the present opinions of the Applicants’ undersigned attorney and, in the event that the Examiner disagrees with any of such opinions, it is respectfully requested that the Examiner indicate specifically those portions of the reference providing a basis for a contrary view.

No additional fees are deemed to be required for the filing of this amendment, but if such are, the Examiner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account No. 50-0320.

If any issues remain, or if the Examiner has any further suggestions, he/she is invited to call the undersigned at the telephone number provided below. The Examiner's consideration of this matter is gratefully acknowledged.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP

By:


William S. Frommer
Reg. No. 25,506
(212) 588-0800